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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

JEAN, F

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 03/28/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/124,052

Applicant(s)

Seong-wuk Na

Examiner

Frantz B. Jean

Group Art Unit

2155



☒ Responsive to communication(s) filed on Jan 5, 2001

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1, 2, 4, and 7-12 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1, 4, 7-9, 11, and 12 is/are rejected.

☒ Claim(s) 2 and 10 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. Claims 1-2, 4, 7-12 are presented for examination.

Claim Rejection - 35 USC 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, and 7-9, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Culbert patent NO. 5,708,816 in view of Shyr et al. ("Shyr") patent NO. 5,903,764.

4. As per claim 1 and 7-9, Culbert teaches a power management method for a PDA which can be connected with an external communication terminal, comprising the steps: upon detecting power-on of said external communication terminal ... (see ref col. 3 line 63 to col. 4 line 21 of the specification), supplying electric power to an external communication terminal ... (see ref col. 4 line 1 to col. 5 line 65 of the specification). However, Culbert does not compare a battery voltage with the reference voltage and also does not generate a low voltage alarm when reference voltage is slightly higher than the battery voltage. Shyr teaches a controller for a smart battery selector

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included in a portable device (PDA) comprising of a comparator which compares a battery voltage with the reference voltage and also does not generate a low voltage alarm when reference voltage is slightly higher than the battery voltage (see abstract; see fig 4a; col. 2 lines 7 et seq, col. 4 lines 10 et seq; col. 5 lines 7 et seq; col. 11 lines 40 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Shyr's features into Culbert system because they would prevent excessive or overload power due to high- power devices while managing power consumption in the system.

5. As per claims 4 and 12, Culbert teaches a display and a speaker (see ref fig 1 elements 124 and 126).

6. As per claim 11, Culbert teaches a Rom (see ref fig 1 element 116).

#### Allowable Subject Matter

7. Claims 2 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Response to Arguments*

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8. Applicant's arguments filed 1/05/01 have been fully considered but they are not persuasive.

Applicant argued that Culbert and Shyr, alone or in combination, do not teach or suggest :  
(1) detecting a battery voltage or a power supply ability of a digital assistant, (2) comparing battery voltage with a reference voltage and calculating a difference between a power supply ability and a power consumption.

In response to Applicant's remarks of 1/5/01, Examiner respectfully submits that Applicant's interpretation of the prior art of record is inaccurate. Culbert and Shyr disclose the invention substantially as claimed. While Culbert may have failed to teach certain features of the invention, particularly (1) and (2), Shyr was used to complement Culbert's deficiencies. Therefore, Examiner believes that Culbert in combination with Shyr teach all the limitations of the claimed invention as written except where objection is made. Furthermore, regarding to items (1) and (2), Culbert teaches the steps of : upon detecting power-on of said external communication terminal ... (see ref col. 3 line 63 to col. 4 line 21 of the specification), supplying electric power to an external communication terminal ... (see ref col. 4 line 1 to col. 5 line 65 of the specification). However, Culbert does not compare a battery voltage with the reference voltage and also does not generate a low voltage alarm when reference voltage is slightly higher than the battery voltage. Shyr teaches a controller for a smart battery selector included in a portable device (PDA) comprising of a comparator which compares a battery voltage with the reference voltage and also does not generate a low voltage alarm when reference voltage is slightly higher than the battery voltage (see abstract; see fig 4a; col. 2 lines 7 et seq, col. 4 lines 10

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et seq; col. 5 lines 7 et seq; col. 11 lines 40 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Shyr's features into Culbert system because they would prevent excessive or overload power due to high- power devices while managing power consumption in the system. Accordingly, rejection is maintained. Applicant is requested to review the prior art of record for further consideration.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Farbanks et al., Tanaka et al., Goldstein et al., Grewe et al., Postman et al., Tanikawa, and Roohparvar are cited for disclosing various information related to the claimed invention.

Applicant is requested to consider these prior art references when responding to this office action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is (703) 305-3970. The examiner can normally be reached on Monday thru Friday from 8:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648. The fax phone number for this Group is (703) 305-3718.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [Ayaz.Sheikh@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S. C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



Frantz B. Jean  
March 23, 2001  
FBJ/



AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
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